

Executive Summary – Enforcement Matter – Case No. 47277

City of La Villa

RN101388957

Docket No. 2013-1387-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

City of La Villa PWS, located at the intersection of Third and Nogales Street, La Villa, Hidalgo County

Type of Operation:

Municipal public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 11, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$1,288

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$1,288

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Unsatisfactory

Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and September 2011

Executive Summary – Enforcement Matter – Case No. 47277

City of La Villa

RN101388957

Docket No. 2013-1387-PWS-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: June 10, 2013

Date(s) of NOE(s): July 17, 2013

Violation Information

1. Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHMs") based on the running annual average [30 TEX. ADMIN. CODE § 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

2. Failed to comply with the MCL of 0.060 mg/L for haloacetic acid ("HAA5") based on a running annual average [30 TEX. ADMIN. CODE § 290.113(f)(5) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require Respondent to:

a. Within 365 days:

i. Return to compliance with the running annual average MCL for TTHM at the Facility;
and

ii. Return to compliance with the running annual average MCL for HAA5 at the Facility.

b. Within 380 days, submit written certification demonstrating compliance with
Ordering Provisions a.i. and a.ii.

Executive Summary – Enforcement Matter – Case No. 47277

City of La Villa

RN101388957

Docket No. 2013-1387-PWS-E

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Epifanio Villarreal, Enforcement Division,
Enforcement Team 2, MC R-14, (361) 825-3425; Candy Garrett, Enforcement Division,
MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Wilfredo Mata, City Manager, City of La Villa, P.O. Box 60, La Villa,
Texas 78562

The Honorable Hector Elizondo, Mayor, City of La Villa, P.O. Box 60, La Villa, Texas
78562

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	22-Jul-2013	Screening	23-Jul-2013	EPA Due	30-Jun-2011
	PCW	23-Jul-2013				

RESPONDENT/FACILITY INFORMATION

Respondent	City of La Villa	
Reg. Ent. Ref. No.	RN101388957	
Facility/Site Region	15-Harlingen	Major/Minor Source Minor

CASE INFORMATION

Enf./Case ID No.	47277	No. of Violations	1
Docket No.	2013-1387-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Epifanio Villarreal
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	84.0% Enhancement	Subtotals 2, 3, & 7	\$210
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Notes: Enhancement for four NOV's with same/similar violations, two NOV's with dissimilar violations, two agreed orders without denial of liability, and for having an unsatisfactory performer classification.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$1,343
Approx. Cost of Compliance \$5,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$460
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$460
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$460
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$460
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Screening Date 23-Jul-2013

Docket No. 2013-1387-PWS-E

PCW

Respondent City of La Villa

Policy Revision 2 (September 2002)

Case ID No. 47277

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101388957

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	4	20%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 74%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unsatisfactory Performer

Adjustment Percentage (Subtotal 7) 10%

>> Compliance History Summary

Compliance History Notes

Enhancement for four NOVs with same/similar violations, two NOVs with dissimilar violations, two agreed orders without denial of liability, and for having an unsatisfactory performer classification.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 84%

Screening Date 23-Jul-2013

Docket No. 2013-1387-PWS-E

PCW

Respondent City of La Villa

Policy Revision 2 (September 2002)

Case ID No. 47277

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101388957

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.113(f)(4) and Tex. Health & Safety Code § 341.0315(c)

Violation Description

Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHMs") based on the running annual average. Specifically, at the time of the record review, it was documented that the running annual average concentrations for TTHM were 0.157 mg/L for the third quarter of 2010, 0.172 mg/L for the fourth quarter of 2010, 0.177 mg/L for the first quarter of 2011 and 0.191 mg/L for the second quarter of 2011.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Exceeding the MCL for TTHM caused the customers of the Facility to be exposed to significant amounts of pollutants which did not exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$250

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,343

Violation Final Penalty Total \$460

This violation Final Assessed Penalty (adjusted for limits) \$460

Economic Benefit Worksheet

Respondent City of La Villa
Case ID No. 47277
Reg. Ent. Reference No. RN101388957
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	30-Sep-2010	1-Aug-2014	3.84	\$64	\$1,279	\$1,343
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount for the Facility to implement an alternative form of disinfection, calculated from the last day of the first quarter of noncompliance to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$1,343



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	22-Jul-2013	Screening	23-Jul-2013	EPA Due	30-Jun-2011
	PCW	23-Jul-2013				

RESPONDENT/FACILITY INFORMATION

Respondent	City of La Villa		
Reg. Ent. Ref. No.	RN101388957		
Facility/Site Region	15-Harlingen	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	47277	No. of Violations	2
Docket No.	2013-1387-PWS-E	Order Type	Findings
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Epifanio Villarreal
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$450
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	84.0% Enhancement	Subtotals 2, 3, & 7	\$378
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Notes: Enhancement for four NOV's with same/similar violations, two NOV's with dissimilar violations, two agreed orders without denial of liability, and for having an unsatisfactory performer classification.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$0
Approx. Cost of Compliance \$0
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$828
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$828
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$828
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$828
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Screening Date 23-Jul-2013

Docket No. 2013-1387-PWS-E

PCW

Respondent City of La Villa

Policy Revision 3 (September 2011)

Case ID No. 47277

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101388957

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	4	20%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 74%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unsatisfactory Performer

Adjustment Percentage (Subtotal 7) 10%

>> Compliance History Summary

Compliance History Notes

Enhancement for four NOVs with same/similar violations, two NOVs with dissimilar violations, two agreed orders without denial of liability, and for having an unsatisfactory performer classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 84%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 84%

Screening Date 23-Jul-2013

Docket No. 2013-1387-PWS-E

PCW

Respondent City of La Villa

Policy Revision 3 (September 2011)

Case ID No. 47277

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101388957

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.113(f)(4) and Tex. Health & Safety Code § 341.0315(c)

Violation Description

Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHMs") based on the running annual average. Specifically, at the time of the record review, it was documented that the running annual average concentrations for TTHM were 0.183 mg/L for the third quarter of 2011, 0.081 mg/L for the third quarter of 2012, 0.133 mg/L for the fourth quarter of 2012, 0.132 mg/L for the first quarter of 2013, and 0.120 mg/L for the second quarter of 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Exceeding the MCL for TTHM caused the customers of the Facility to be exposed to significant amounts of pollutants which did not exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 2

456 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	X
single event	

Violation Base Penalty \$300

Two annual events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$300

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$552

This violation Final Assessed Penalty (adjusted for limits) \$552

Economic Benefit Worksheet

Respondent City of La Villa
Case ID No. 47277
Reg. Ent. Reference No. RN101388957
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs of compliance are captured in the economic benefit for Violation No. 1 of Revision 2 PCW.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 23-Jul-2013

Docket No. 2013-1387-PWS-E

PCW

Respondent City of La Villa

Policy Revision 3 (September 2011)

Case ID No. 47277

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101388957

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 290.113(f)(5) and Tex. Health & Safety Code § 341.0315(c)

Violation Description

Failed to comply with the MCL of 0.060 mg/L for haloacetic acid ("HAA5") based on a running annual average. Specifically, at the time of the record review, it was documented that the running annual average concentrations for HAA5 was 0.061 mg/L for the first quarter of 2013.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Exceeding the MCL for HAA5 caused the customers of the Facility to be exposed to significant amounts of pollutants which did not exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

90 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	X
single event	

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$276

This violation Final Assessed Penalty (adjusted for limits) \$276

Economic Benefit Worksheet

Respondent City of La Villa
Case ID No. 47277
Reg. Ent. Reference No. RN101388957
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs of compliance are captured in the economic benefit for Violation No. 1 of Revision 2 PCW.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN600643217, RN101388957, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator: CN600643217, City of La Villa **Classification:** UNSATISFACTORY **Rating:** 149.83

Regulated Entity: RN101388957, CITY OF LA VILLA **Classification:** SATISFACTORY **Rating:** 15.00

Complexity Points: 3 **Repeat Violator:** NO

CH Group: 14 - Other

Location: Third and Nogales St, La Villa, HIDALGO COUNTY, TEXAS

TCEQ Region: REGION 15 - HARLINGEN

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1080023 **WATER LICENSING LICENSE** 1080023

Compliance History Period: September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012

Date Compliance History Report Prepared: July 23, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 23, 2008 to July 23, 2013

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: EPI VILLARREAL

Phone: (361) 825-3425

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 02/07/2010 ADMINORDER 2009-0370-PWS-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: May 2006 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: June 2006 - Failure to submit surface water monthly operating report by the tenth day of the month following

Description: September 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: October 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: November 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

Classification: Moderate

Citation: 2A TWC Chapter 5, SubChapter A 5.702
30 TAC Chapter 21 21.4
30 TAC Chapter 290, SubChapter D 290.51

Description: Failure to pay all Consolidated Water Quality (CWQ) and Public Health Service (PHS) annual fees for 2009, along with late fees that have accrued on these accounts. Specifically, TCEQ FA Account No. 23006061 should have been paid no later than November 30, 2008 and TCEQ FA Account No. 91080023 should have been paid no later than December 30, 2008.

2 Effective Date: 04/07/2013 ADMINORDER 2012-1352-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(12)
30 TAC Chapter 290, SubChapter F 290.111(h)(2)

Description: SWTR Major Monitoring/Reporting Violation 12/2011 - Failure to submit Surface Water Monthly Operating Report (SWMOR) by required deadline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(12)
30 TAC Chapter 290, SubChapter F 290.111(h)(2)

Description: SWTR Major Monitoring/Reporting Violation 01/2012 - Failure to submit Surface Water Monthly Operating Report (SWMOR) by required deadline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(12)
30 TAC Chapter 290, SubChapter F 290.111(h)(2)

Description: SWTR Major Monitoring/Reporting Violation 02/2012 - Failure to submit Surface Water Monthly Operating Report (SWMOR) by required deadline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(12)
30 TAC Chapter 290, SubChapter F 290.111(h)(2)

Description: SWTR Major Monitoring/Reporting Violation 03/2012 - Failure to submit Surface Water Monthly Operating Report (SWMOR) by required deadline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(12)
30 TAC Chapter 290, SubChapter F 290.111(h)(2)

Description: SWTR Major Monitoring/Reporting Violation 04/2012 - Failure to submit Surface Water Monthly Operating Report (SWMOR) by required deadline.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: DEC 2011 SWTR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct SWTR monitoring/reporting for the month of 12/2011.
Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(1)(A)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: SWTR Non-acute TT Violation 11/2011 - 13 day(s) with combined filter effluent turbidity readings above 1.0 NTU.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(1)(B)
5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: SWTR Non-acute TT Violation 11/2011 - 100 % of combined filter effluent turbidity readings for the month were above 0.3 NTU.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: NOV 2011 SWTR Non-Acute TT PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was for a non-acute surface water treatment technique violation during the month of 11/2011.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: NOV 2011 SWTR Non-Acute TT PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was for a non-acute surface water treatment technique violation during the month of 11/2011.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.107(e)

Description: SOC MR 3Y2010 - The system failed to monitor and/or failed to report all synthetic organic contaminants levels to the TCEQ for the triennial monitoring period from 01/01/2008 to 12/31/2010.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(2)(A)(ii)
5A THSC Chapter 341, SubChapter A 341.033(d)

Description: TCR Routine Monitoring Violation 02/2012 - Failure to collect any routine monitoring sample(s).

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: JAN 2012 SWTR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct SWTR monitoring/reporting for the month of 01/2012.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- | | | | |
|---|--------------|---|--------------------------|
| 1 | Date: | 07/24/2012 (1076387) | CN600643217 |
| | Self Report? | NO | Classification: Moderate |
| | Citation: | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f) | |
| | Description: | MARCH/2012 SWTR MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct SWTR monitoring and/or reporting for the month of 03/2012. | |
| 2 | Date: | 07/24/2012 (1013181) | CN600643217 |
| | Self Report? | NO | Classification: Minor |
| | Citation: | 30 TAC Chapter 290, SubChapter D 290.42(i) | |

Description: 30 TAC Chapter 312, SubChapter F 312.122(b)
 Failure to obtain permits from TCEQ for the discharge of wastes from water treatment processes.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain the system's facilities and equipment in a manner so as to prevent the contamination of the water.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)

Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)

Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)
 30 TAC Chapter 290, SubChapter D 290.46(m)(6)

Description: Failure to maintain all pumps motors, valves, and other mechanical devices in good working condition (treated water flow meter not functional).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: Failure to calibrate flow measuring device at least once every 12 months (raw water flow meter has not been calibrated).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(j)

Description: Failure to provide copies of most recent Customer Service Inspections for investigator review.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(4)

Description: Failure to ensure that backflow prevention assemblies which are installed to provide protection against health hazards are tested and certified to be operating within specifications at least annually by a recognized backflow assembly tester.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(m)

Description: Failure to enclose water treatment plant and all appurtenances by an intruder-resistant fence.

3 Date: 10/22/2012 (1101190) CN600643217
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 Description: TTHM MCL 3Q2012 - The system violated the maximum contaminant level for trihalomethanes during the 3rd quarter of 2012 with a RAA of 0.081 mg/L.

4 Date: 04/22/2013 (1101190) CN600643217
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 Description: TTHM MCL 4Q2012 - The system violated the maximum contaminant level for trihalomethanes during the 4th quarter of 2012 with a RAA of 0.133 mg/L.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 Description: TTHM MCL 1Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 1st quarter of 2013 with a RAA of 0.132 mg/L.

5 Date: 05/07/2013 (1101190) CN600643217
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 Description: TTHM MCL 2Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013 with a RAA of 0.120 mg/L.

6 Date: 05/28/2013 (1101190) CN600643217
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(5)
 Description: HAA5 MCL 1Q2013 - The system violated the maximum contaminant level for

haloacetic acids during the 1st quarter of 2013 with a RAA of 0.061 mg/L.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 7/23/2008 and 7/23/2013

- 1 Date: 07/07/2006 (722058) CN600643217
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: May 2006 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.
- 2 Date: 08/11/2006 (722230) CN600643217
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: June 2006 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.
- 3 Date: 11/14/2007 (722242) CN600643217
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: September 2007 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.
- 4 Date: 11/26/2007 (722248) CN600643217
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: October 2007 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.
- 5 Date: 12/27/2007 (722255) CN600643217
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: November 2007 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.
- 6 Date: 03/03/2008 (722263) CN600643217
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: January 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

7

Date: 03/31/2008 (722273)

CN600643217

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: February 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

8

Date: 04/30/2008 (722284)

CN600643217

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.111(h)(11)
 30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: March 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

9

Date: 08/06/2008 (684389)

CN600643217

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to provide an up-to-date chemical and microbiological monitoring plan.

Specifically, during the July 02, 2008, investigation the facility was unable to provide an chemical and microbiological for the water treatment plant.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(3)(C)
 30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)
 30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)(iii)

Description: Failure to continuously monitor the filtered water turbidity and record the turbidity value every 15 minutes.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(i)

Description: Failure to properly calibrate the benchtop turbidimeter.

Specifically, during the July 02, 2008, investigation the secondary standards used to calibrate the benchtop turbidimeter were observed to be expired.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(2)(A)

Description: Failure to provide a standby chemical feeder.

Specifically, during the July 02, 2008, investigation there was no standby chemical feeder for the polymer day tank.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)

Description: Failure to maintain all water facilities and related appurtenances in a water tight condition.

Specifically, during the July 02, 2008, investigation the pipe gallery was observed to contain a large amount of water. As per the operator, Ricardo Perez, the water entered the gallery from a leaking pipe within the gallery.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(13)

Description: Failure to identify chemical feed lines.

Specifically, during the July 02, 2008, investigation the post chemical feed line

was observed to be unlabeled and without color coding.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)

Description: During the July 02, 2008, investigation it was observed that the facility needs to more adequately record and maintain distribution system flushing records.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to develop and maintain a maintenance program to address the various corrosion issues throughout the water treatment plant. For example, during the July 02, 2008, investigation it was observed that the facility needs to maintain/replace the splitter box grate.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failure to maintain an up-to-date thorough plant operations manual for operator review and reference.

10

Date: 09/04/2008 (722287)

CN600643217

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: July 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

11

Date: 10/15/2008 (722290)

CN600643217

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: August 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

12

Date: 12/03/2008 (722292)

CN600643217

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: September 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

13

Date: 12/22/2008 (722296)

CN600643217

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)

Description: October 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

14

Date: 01/05/2009 (722641)

CN600643217

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(2)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)

30 TAC Chapter 290, SubChapter F 290.111(h)(11)
30 TAC Chapter 290, SubChapter F 290.111(h)(3)
Description: November 2008 - Failure to submit surface water monthly operating report by the tenth day of the month following the end of the reporting period.

15 Date: 09/25/2009 (776467) CN600643217
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(3)(C)
30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)
30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)(iii)

Description: Failure to continuously monitor the filtered water turbidity and record the turbidity value every 15 minutes.

16 Date: 10/22/2010 (793348) CN600643217
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(5)

Description: Failure to provide flow measuring devices to measure the raw water supplied to the plant, the treated water used to back wash the filters, and the treated water discharged from the plant.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(3)(C)
30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)
30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)(iii)

Description: Failure to continuously monitor the filtered water turbidity and record the turbidity value every 15 minutes.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(i)
30 TAC Chapter 312, SubChapter F 312.122(b)

Description: Failure to obtain permits from TCEQ for the discharge of wastes from water treatment processes.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)

Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)

Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)

Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(C)
30 TAC Chapter 290, SubChapter D 290.42(f)(2)(A)

Description: Failure to include at least one functional standby chemical feed unit for ensuring uninterrupted operation.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: Failure to provide a thorough and up-to-date plant operations manual for operator review and reference.

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
Description: Failure to provide an up-to-date chemical and microbiological monitoring plan.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(16)
Description: Failure to provide a computer and software for recording performance data, maintaining records, and submitting reports to the executive director.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain the system's facilities and equipment in a manner so as to prevent the contamination of the water.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain the system's facilities and equipment in a manner so as to prevent the contamination of the water.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(m)
Description: Failure to enclose water treatment plant and all appurtenances by an intruder-resistant fence.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain the system's facilities and equipment in a manner so as to prevent the contamination of the water.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(C)(iii)
Description: Failure to retain the Recycling Practices Report form.
Classification: Major

Self Report? NO For Informational Purposes Only

Citation: 2A TWC Chapter 7, SubChapter A 7.101
Description: Failure to comply with any provision of a Court Order.

17

Date: 08/24/2011 (901771) CN600643217
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.111(e)(3)(C)
30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)
30 TAC Chapter 290, SubChapter F 290.111(e)(5)(C)(iii)
Description: Failure to continuously monitor the filtered water turbidity and record the turbidity value every 15 minutes.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(i)
30 TAC Chapter 312, SubChapter F 312.122(b)
Description: Failure to obtain permits from TCEQ for the discharge of wastes from water treatment processes.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)
Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)
Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(C)
 30 TAC Chapter 290, SubChapter D 290.42(f)(2)(A)
 Description: Failure to include at least one functional standby chemical feed unit for ensuring uninterrupted operation.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(I)
 Description: Failure to provide a thorough and up-to-date plant operations manual for operator review and reference.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to provide an up-to-date chemical and microbiological monitoring plan.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(16)
 Description: Failure to provide a computer and software for recording performance data, maintaining records, and submitting reports to the executive director.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to maintain the system's facilities and equipment in a manner so as to prevent the contamination of the water.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(C)(iii)
 Description: Failure to retain the Recycling Practices Report form.
 Classification: Major
 Self Report? NO For Informational Purposes Only

Citation: 2A TWC Chapter 7, SubChapter A 7.101
 Description: Failure to comply with any provision of a Court Order.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)
 Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)
 Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)
 30 TAC Chapter 290, SubChapter D 290.46(m)(6)
 Description: Failure to maintain all pumps motors, valves, and other mechanical devices in good working condition (treated water flow meter not functional).
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
 Description: Failure to calibrate flow measuring device at least once every 12 months (raw water flow meter has not been calibrated).
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.46(j)
 Description: Failure to provide copies of most recent Customer Service Inspections for investigator review.
 Classification: Minor
 Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(4)
 Description: Failure to ensure that backflow prevention assemblies which are installed to

provide protection against health hazards are tested and certified to be operating within specifications at least annually by a recognized backflow assembly tester.

18*

Date: 07/24/2012 (1076387) CN600643217
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
30 TAC Chapter 290, SubChapter F 290.122(f)
Description: MARCH/2012 SWTR MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct SWTR monitoring and/or reporting for the month of 03/2012.

19*

Date: 07/24/2012 (1013181) CN600643217
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.42(i)
30 TAC Chapter 312, SubChapter F 312.122(b)
Description: Failure to obtain permits from TCEQ for the discharge of wastes from water treatment processes.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain the system's facilities and equipment in a manner so as to prevent the contamination of the water.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)
Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(6)
Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(I)
30 TAC Chapter 290, SubChapter D 290.46(m)(6)
Description: Failure to maintain all pumps motors, valves, and other mechanical devices in good working condition (treated water flow meter not functional).
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)
Description: Failure to calibrate flow measuring device at least once every 12 months (raw water flow meter has not been calibrated).
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.46(j)
Description: Failure to provide copies of most recent Customer Service Inspections for investigator review.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(4)
Description: Failure to ensure that backflow prevention assemblies which are installed to provide protection against health hazards are tested and certified to be operating within specifications at least annually by a recognized backflow assembly tester.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain all pumps, motors, valves, and other mechanical devices in good working condition.

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter D 290.42(m)
Description: Failure to enclose water treatment plant and all appurtenances by an intruder-resistant fence.

20 Date: 10/22/2012 (1101190) CN600643217
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TTHM MCL 3Q2012 - The system violated the maximum contaminant level for trihalomethanes during the 3rd quarter of 2012 with a RAA of 0.081 mg/L.

21 Date: 04/22/2013 (1101190) CN600643217
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TTHM MCL 4Q2012 - The system violated the maximum contaminant level for trihalomethanes during the 4th quarter of 2012 with a RAA of 0.133 mg/L.
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TTHM MCL 1Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 1st quarter of 2013 with a RAA of 0.132 mg/L.

22 Date: 05/07/2013 (1101190) CN600643217
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TTHM MCL 2Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013 with a RAA of 0.120 mg/L.

23 Date: 05/28/2013 (1101190) CN600643217
Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(5)
Description: HAA5 MCL 1Q2013 - The system violated the maximum contaminant level for haloacetic acids during the 1st quarter of 2013 with a RAA of 0.061 mg/L.

* NOVs applicable for the Compliance History rating period 9/1/2007 to 8/31/2012

Appendix B

All Investigations Conducted During Component Period July 23, 2008 and July 23, 2013

(684389)
Item 1 August 06, 2008** For Informational Purposes Only
(722058)
Item 2 December 22, 2008** For Informational Purposes Only
(722230)
Item 3 January 05, 2009** For Informational Purposes Only
(722683)
Item 4 February 09, 2009** For Informational Purposes Only
(737992)
Item 5 March 13, 2009** For Informational Purposes Only
(776467)
Item 6 September 26, 2009** For Informational Purposes Only
(800077)

Item 7	May 06, 2010**	For Informational Purposes Only (793348)
Item 8	October 20, 2010**	For Informational Purposes Only (901771)
Item 9	August 25, 2011**	For Informational Purposes Only (969932)
Item 10	January 04, 2012**	For Informational Purposes Only (1007562)
Item 11	June 11, 2012**	For Informational Purposes Only (1013181)
Item 12	July 16, 2012**	For Informational Purposes Only (1028839)
Item 13	September 13, 2012	For Informational Purposes Only (1076387)
Item 14	March 26, 2013	For Informational Purposes Only (1076579)
Item 15	April 12, 2013	For Informational Purposes Only (1101190)
Item 16	July 03, 2013	For Informational Purposes Only (1101815)
Item 17	July 19, 2013	For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2007 and 08/31/2012.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITY OF LA VILLA
RN101388957**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2013-1387-PWS-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of La Villa ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a municipal public water supply at the intersection of Third and Nogales Street in La Villa, Hidalgo County, Texas (the "Facility") that has approximately 467 service connections and serves at least 25 people per day for at least 60 days per year.

2. During a record review conducted on June 10, 2013, TCEQ staff documented that the running annual average concentrations for total trihalomethanes ("TTHMs") were 0.157 milligrams per liter ("mg/L") for the third quarter of 2010, 0.172 mg/L for the fourth quarter of 2010, 0.177 mg/L for the first quarter of 2011, 0.191 mg/L for the second quarter of 2011, 0.183 mg/L for the third quarter of 2011, 0.081 mg/L for the third quarter of 2012, 0.133 mg/L for the fourth quarter of 2012, 0.132 mg/L for the first quarter of 2013, and 0.120 mg/L for the second quarter of 2013.
3. During a record review conducted on June 10, 2013, TCEQ staff documented that the running annual average concentrations for haloacetic acid ("HAA5") was 0.061 mg/L for the first quarter of 2013.
4. The Respondent received notice of the violations on July 22, 2013.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHMs based on the running annual average, in violation of 30 TEX. ADMIN. CODE § 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
3. As evidenced by Findings of Fact No. 3, the Respondent failed to comply with the MCL of 0.060 mg/L for HAA5 based on a running annual average, in violation of 30 TEX. ADMIN. CODE § 290.113(f)(5) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
4. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of One Thousand Two Hundred Eighty-Eight Dollars (\$1,288) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent has paid the One Thousand Two Hundred Eighty-Eight Dollar (\$1,288) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of One Thousand Two Hundred Eighty-Eight Dollars (\$1,288) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of La Villa, Docket No. 2013-1387-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Within 365 days after the effective date of this Agreed Order:
 - i. Return to compliance with the running annual average MCL for TTHM at the Facility, in accordance with 30 TEX. ADMIN. CODE §290.113; and
 - ii. Return to compliance with the running annual average MCL for HAA5 at the Facility, in accordance with 30 TEX. ADMIN. CODE § 290.113.
 - b. Within 380 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. and 2.a.ii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section Manager
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission,

including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pamela Alvarez
For the Executive Director

11/11/13
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of City of La Villa. I am authorized to agree to the attached Agreed Order on behalf of City of La Villa, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, City of La Villa waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

W. M. M. M. M.
Signature

8-23-13
Date

Wiltredo M. M.
Name (Printed or typed)
Authorized Representative of
City of La Villa

City Manager
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.